

# **Exhibit B**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SET CAPITAL LLC, et al., Individually and on )  
 Behalf of All Others Similarly Situated, )

Plaintiffs, )

V.

Case No.: 1:18-cv-02268-AT-SN

CREDIT SUISSE GROUP AG, CREDIT SUISSE )  
AG, CREDIT SUISSE INTERNATIONAL, )  
TIDJANE THIAM, DAVID R. MATHERS, )  
JANUS HENDERSON GROUP PLC, JANUS )  
INDEX & CALCULATION SERVICES LLC, )  
and JANUS DISTRIBUTORS LLC d/b/a JANUS )  
HENDERSON DISTRIBUTORS, )

Defendants. )

**JOINT DECLARATION OF  
SET CAPITAL, LLC, STEFAN JAGER, ALEKSANDR GAMBURG and APOLLO  
ASSET LIMITED IN SUPPORT OF THEIR  
MOTION FOR CLASS CERTIFICATION**

Set Capital, LLC, Stefan Jager, Aleksandr Gamburg and Apollo Asset Limited (collectively, the “Lead Plaintiffs” or “We”), provide this Joint Declaration in support of Plaintiffs' Motion for Class Certification ("Motion").

The following facts are true and correct to our knowledge, and if called upon to testify, we could and would testify competently thereto:

1. As set forth in our certifications, ECF Nos. 38-2, 38-4, 38-8, and 38-10, we each purchased shares of VelocityShares Inverse VIX Short Term ETNs during the Class Period. We each suffered losses as a result of those purchases.

2. We have taken and will continue to take an active role in monitoring the litigation for the best interests of the Classes. This includes continuing to vigorously pursue the claims against Defendants to obtain the maximum possible recovery for the Classes.

3. We understand that each of us could have chosen to pursue individual actions or to take no action and remain absent class members. However, in order to gain the advantages of joint decision-making, collective resources, and to provide the Classes with

broad representation, we affirmatively decided that it would be a benefit to ourselves and the Classes if we jointly moved for Class Certification and to be appointed as Class Representatives.

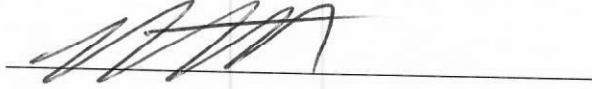
4. We understand that we owe a duty to all members of the proposed Classes to provide fair and adequate representation. We intend to continue to work with one another and with our chosen counsel to protect the interests of all members of the Classes, and to vigorously prosecute the claims brought forth in this action on behalf of the Classes.

5. We are committed to this action and have been actively overseeing the effective and efficient prosecution of this action by, among other things, reviewing pleadings, participating in litigation decisions, monitoring counsel, and responding to Defendants' discovery requests. We take the obligations owed by class representatives seriously, and we will continue to actively monitor our counsel and the litigation, prosecute the action in the best interest of the Classes, and otherwise fulfill the duties we will assume if appointed as Class Representatives.

6. We have not had and do not foresee any problems communicating with one another or staying abreast of the progress of this litigation. Since being appointed as Lead Plaintiffs, we have routinely communicated with our counsel and each other by telephone and e-mail regarding the action. Indeed, prior to moving for class certification, we or representatives of our entities had a conference call with our chosen counsel, Cohen Milstein Sellers & Toll PLLC and Levi & Korsinsky, LLP, to discuss, among other things, the case litigation to date, class certification, our interest in serving jointly as Class Representatives and the benefits our small and cohesive group may provide to the Classes, including continuing to prosecute this matter for the benefit of the Classes. In order to achieve this result, we will continue consulting with each other and with counsel regarding the prosecution of this lawsuit via telephone, email and in person, if appropriate. We also understand that some of these communications may need to be conducted without counsel. To that end, we previously exchanged contact information, and accordingly, will be able to call meetings with and without counsel as needed. We remain confident in our ability to reach unanimous decisions regarding litigation matters and will continue to use consensus decision making to maximize the recovery for the Classes.

7. We are satisfied that our chosen counsel is experienced in prosecuting the Classes' claims under our supervision. We previously instructed our counsel to conduct the litigation in an efficient manner and to avoid the duplication of efforts wherever possible, and we believe that they have done so to date. We also previously instructed counsel to provide us with regular updates on the progress of the litigation, which they have done. We support the accompanying motion to have Cohen Milstein Sellers & Toll PLLC and Levi & Korsinsky, LLP certified as class counsel.

I, Phillip Sylvester, a representative of Set Capital, LLC, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



Executed this 20 day of June, 2022 at CHICAGO IL.

I, Stefan Jager, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



Executed this \_\_\_\_ day of June, 2022 at \_\_\_\_\_.

I, Aleksandr Gamburg, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

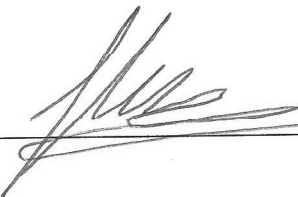


Executed this \_\_\_\_ day of June, 2022 at \_\_\_\_\_.

I, Phillip Sylvester, a representative of Set Capital, LLC, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

\_\_\_\_\_  
Executed this \_\_\_\_ day of June, 2022 at \_\_\_\_\_.

I, Stefan Jager, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

  
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Executed this 27 day of June, 2022 at Mountclair, Essex County  
New Jersey

I, Aleksandr Gamburg, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

\_\_\_\_\_  
Executed this \_\_\_\_ day of June, 2022 at \_\_\_\_\_.

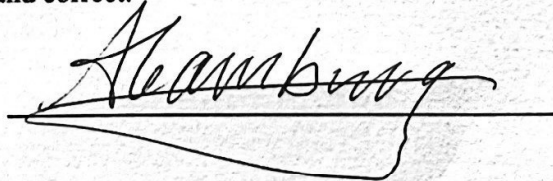
I, Phillip Sylvester, a representative of Set Capital, LLC, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

\_\_\_\_\_  
Executed this \_\_\_\_ day of June, 2022 at \_\_\_\_\_.

I, Stefan Jager, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

\_\_\_\_\_  
Executed this \_\_\_\_ day of June, 2022 at \_\_\_\_\_.

I, Aleksandr Gamburg, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

  
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Executed this 28 day of June, 2022 at San Francisco, CA

I, Arne Fredly, a representative of Apollo Asset Limited, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



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Executed this 30 day of June, 2022 at St. Tropez. France.